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STATE OF DELAWARE
DEPARTMENT OF STATE

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DIVISION OF PROFESSIONAL REGULATION

PUBLIC MEETING MINUTES:	BOARD OF FUNERAL SERVICES
MEETING DATE AND TIME:	Wednesday, March 30, 2011, 10:00 a.m.
PLACE:	861 Silver Lake Boulevard, Dover, Delaware Conference Room B , second floor of the Cannon Building
MINUTES APPROVED:	May 25, 2011

MEMBERS PRESENT

Marceline Knox, Public Member, Secretary
Chad Chandler, Professional Member
William Torbert, Professional Member
Robert O. Wright, Professional Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Danny Stevenson, Deputy Attorney General
Michele Urbaniak, Administrative Specialist II

James Collins, Director, Division of Professional Regulation
Allison Reardon, Deputy Attorney General
Jennifer Childears, Administrative Specialist II
Sandra Wagner, Administrative Specialist III

MEMBERS ABSENT

Harry Fletcher, Professional Member, President
M.C. Byrd, Public Member
Danna Levy, Public Member

OTHERS PRESENT

None

CALL TO ORDER

In the President's absence, Ms. Knox called the meeting to order at 10:02 a.m.

REVIEW OF MINUTES

The Board reviewed the minutes of the March 7, 2011 meeting. Mr. Chandler made a motion, seconded by Mr. Torbert, to approve the March 7th minutes as written. The motion was unanimously carried.

UNFINISHED BUSINESS

Sign Board Order – Trader Hearing (Byrd)

Ms. Urbaniak reported that Ms. Byrd has been unable to sign the Board Order since she has been out with hip surgery. Mr. Stevenson advised that we can wait until Ms. Byrd returns for her signature, since the Board did not vote to impose discipline.

Strategic Planning

Mr. Chandler made a motion, seconded by Mr. Torbert, to table the development of a new strategic plan until the next meeting. The motion was unanimously carried.

Rules and Regulations

Increase Number of Required Embalming Reports for Interns – Proposal from Mr. Wright

Review Licensure by Reciprocity – Proposal from Mr. Wright

Funeral Establishment Inspections – Proposal from Mr. Wright

Mr. Wright proposed that the Board increase the number of required embalming reports for interns from 25 to 50. Mr. Wright asked for clarification of the process to change the Board's Rules and Regulations. Mr. Stevenson advised. Mr. Wright reported that he has been in contact with funeral boards from other states, such as the Maryland and DC boards, and he believes that Delaware should increase its licensing requirements. Mr. Wright advised that he had spoken with Conference Attorney Dale Atkinson while he was in Myrtle Beach at the annual convention, and recommended that Mr. Atkinson be invited to Delaware for further discussions on our licensing standards. Mr. Collins reported that he was familiar with Mr. Atkinson, as he was a guest speaker at the Division's annual board orientation two years ago. Mr. Collins agreed that Mr. Atkinson is a great speaker.

Mr. Chandler stated that he does not agree with Mr. Wright's opinion that people are entering the funeral profession for money. Mr. Chandler also stated that he believes that if we regulate the profession too much, we will discourage funeral professionals from coming to Delaware. Mr. Chandler agrees that Delaware needs to pursue reciprocity with other states.

Mr. Torbert added that we need to keep up with the trends of society when reviewing our Rules and Regulations. Mr. Torbert has been advised that few young people are entering the funeral profession, but that it has become an avenue for older individuals pursuing a second career. Mr. Torbert believes that Delaware allows more opportunity for such individuals to enter the funeral profession by accepting online education.

Ms. Knox stated that Delaware's standards should be comparable to other states, not lower. Mr. Stevenson compared Pennsylvania's licensing standards with those of Delaware and advised that PA (like DE) requires 25 embalming reports during internship, as well as the completion of education before an internship can begin. Mr. Collins pointed out that some laws are based on sensitivity to a particular jurisdiction, such as areas without schools. Mr. Collins recommended that DAG Stevenson conduct an analysis of the licensing standards of surrounding states and compare them to the licensing standards of Delaware, then have the Board make decisions based on public protection. Mr. Collins advised that ultimately the General Assembly sets minimum standards for licensure with input and recommendations from the Board. Mr. Collins also recommended that the Board and its attorney compile a list of challenges in Delaware. Mr. Wright asked how many new licenses had been issued by the Board of Funeral Services in the past three years. Ms. Urbaniak reported that 48 new licenses had been issued since January 1, 2008. Mr. Wright asked how many new licenses had been issued in the past six years. Ms. Urbaniak reported that 81 new licenses had been issued since January 1, 2005.

Mr. Wright stated that he is compiling a report of his trip to Myrtle Beach and will provide a copy to Director Collins and Governor Markell. Mr. Wright stated that Delaware was the only state represented at the convention that does not inspect funeral establishments. Mr. Wright proposes that Delaware require establishment inspections every 2 to 3 years, to look for things like proper ventilation, proper drainage, and a proper embalming environment with the necessary equipment. Ms. Knox recommended that we only use trained inspectors. Mr. Collins clarified for Mr. Wright that the Division had recently hired two new investigators, not inspectors, and explained that the cost of contracted inspectors would roll into the Funeral Director licensure fees. Mr. Stevenson advised that the Board's Rules and Regulations would need to be revised to include the requirements of establishment inspections, if the Board chose to approve an inspection requirement.

After further discussion, Mr. Chandler made a motion, seconded by Mr. Torbert, to table the continuation of these discussions until the next meeting. The motion was unanimously carried.

Next Legislative Subcommittee Meeting – April 5, 2011, 10:00 a.m.

Review of Deficient Audit Submissions

Matthew J. Genereux (late, no certificates)

Mr. Torbert reviewed the certificates of completion submitted by Matthew Genereux. Mr. Wright asked for clarification of the CE Approval Process. Mr. Stevenson, Ms. Urbaniak, and Ms. Wagner advised. After discussion, Mr. Chandler made a motion, seconded by Mr. Torbert, to send Mr. Genereux a letter requesting that he submit the appropriate CE Approval Request forms and supporting documentation in order for the Board to decide whether or not to accept or deny the courses Mr. Genereux submitted for his 08-10 CE audit. Mr. Genereux must submit the CE Approval Request forms and supporting documentation before the Board's May meeting. The motion passed by a majority, with Mr. Wright abstaining from the vote.

John M. Holloway (no certificates)

Mr. Torbert reviewed the audit submission of John Holloway. Mr. Chandler made a motion, seconded by Mr. Torbert, to accept the documentation submitted and pass Mr. Holloway's audit. The motion passed by a majority, with Mr. Wright abstaining from the vote.

S. Keith Parsell (1.0 CE short)

Mr. Torbert reviewed the certificate of completion submitted by S. Keith Parsell. Mr. Torbert made a motion, seconded by Mr. Chandler, to accept the certificate of completion and pass Mr. Parsell's audit. The motion passed by a majority, with Mr. Wright abstaining from the vote.

Christopher Schulze (no response)

Mr. Torbert reviewed the audit submission of Christopher Schulze. Mr. Torbert made a motion, seconded by Mr. Chandler, to accept the documentation submitted and pass Mr. Schulze's audit. The motion passed by a majority, with Mr. Wright abstaining from the vote.

Harvey Torbert Williamson (late, over 65)

Ms. Urbaniak reported that the Board office mailed a letter to Mr. Williamson notifying him that the Board had accepted his audit submission at its March 7, 2011 meeting, for the 2008-2010 licensure period.

NEW BUSINESS

Taryn Huber – Resident Intern

Ms. Urbaniak reported that Ms. Huber called the Division in March 2011 to inquire about the status of her intern license. After research, Ms. Urbaniak confirmed that Ms. Huber had been approved for Resident Intern licensure in June 2010; however, her license had never been issued. The Division issued Ms. Huber's license for an internship to begin March 15, 2011.

2011 Annual Meeting of The Conference – Report from Robert O. Wright

At Mr. Wright's request, Ms. Urbaniak distributed copies of a document titled *Questions to Ponder, Issues to Identify* from the 107th Annual Convention of The International Conference of Funeral Service Examining Boards. Mr. Wright requested that copies also be given to any members who were not present at the meeting. Mr. Wright advised that his report would take a minimum of 35-40 minutes, and a max of one hour. After discussion, Mr. Chandler made a motion, seconded by Mr. Torbert, to table Mr. Wright's presentation until the May meeting when more members may be present. The motion passed unanimously. Mr. Wright asked that all members review the document in preparation of his presentation at the next Board meeting.

COMPLAINT STATUS

No updates to report.

OTHER BUSINESS BEFORE THE BOARD (for discussion only)

None

PUBLIC COMMENT

None

NEXT MEETING

The next Board meeting will be held on Wednesday, May 25, 2011, at 10:00 a.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business, Mr. Chandler made a motion, seconded by Ms. Knox, to adjourn the meeting at 11:18 a.m. The motion was unanimously carried.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Urbaniak". The signature is written in a cursive, flowing style.

Michele Urbaniak
Administrative Specialist II